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FILED
U.S. DISTRICT COURT

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DISTRICT OF UTAH

BY: DEBILY CLARK

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CANDELARIO SOTO-DELGADO,

Defendant.

INDICTMENT

VIOLATIONS:

Title 21 U.S.C. § 841(a)(1) – Possession with
Intent to Distribute

Case: 2:15-cr-00713

Assigned To : Shelby, Robert J.

Assign. Date : 12/2/2015

Description: USA v.

The Grand Jury Charges:

COUNT I

21 U.S.C. § 841(a)(1)
(Possession of Heroin with Intent to Distribute)

On or about September 2, 2015, in the Central Division of the District of Utah,

CANDELARIO SOTO-DELGADO,

defendant herein, did knowingly and intentionally possess with intent to distribute 1 kilogram or more of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance within the meaning of 21 U.S.C. § 812; and did aid and abet therein; all in violation of 21 U.S.C. § 841(a)(1) & 18 U.S.C. § 2, and punishable pursuant to 21 U.S.C. § 841(b)(1)(A).

COUNT 2

21 U.S.C. § 841(a)(1)
(Possession of Cocaine with Intent to Distribute)

On or about July 30, 2015, in the Central Division of the District of Utah,

CANDELARIO SOTO-DELGADO,

defendant herein, did knowingly and intentionally possess with intent to distribute a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance within the meaning of 21 U.S.C. § 812; and did aid and abet therein; all in violation of 21 U.S.C. § 841(a)(1) & 18 U.S.C. § 2, and punishable pursuant to 21 U.S.C. § 841(b)(1)(C).

NOTICE OF INTENT TO SEEK FORFEITURE

Pursuant to 21 U.S.C. § 853, upon conviction of an offense in violation of 21 U.S.C. § 841(a)(1), as set forth in this indictment, the defendant CANDELARIO SOTO-DELGADO shall forfeit any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offense, including, but not limited to, the following property:

- 2006 Saturn Vue, VIN No. 5GZCZ23D96S873786;
- 2006 Chevy HHR, VIN No. 3GNDA13D76S664646;
- 2003 Honda Element, VIN No. 5J6YH286X3L039739;
- 2003 Volkswagen Passat, VIN No. WVWPD63853P191428;
- 2006 Ford Fusion, VIN No. 3FAFP07136R108485;
- \$9,995 cash.

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SUBSTITUTE ASSETS

If any of the above-described forfeitable property, as a result of any act or omission of the defendant,

- (1) cannot be located upon the exercise of due diligence;
 - (2) has been transferred or sold to, or deposited with, a third person;
 - (3) has been placed beyond the jurisdiction of the court;
 - (4) has been substantially diminished in value; or
 - (5) has been commingled with other property which cannot be divided without difficulty; it
- is the intent of the United States, pursuant to 28 U.S.C. § 2461(c) and 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendant up to the value of the above-forfeitable property.

A TRUE BILL:

FOREPERSON OF GRAND JURY

JOHN W. HUBER
United States Attorney



AARON B. CLARK
Assistant United States Attorney